

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

v.

RICHARD W. GOULD

CR. NO. 04-10248-RCL

ASSENTED-TO MOTION TO CONTINUE SENTENCING HEARING

Defendant Richard W. Gould, by and through undersigned counsel, hereby moves to continue his sentencing hearing from Tuesday, July 25, 2006, until a date after September 5, 2006, that is convenient for the Court.

In support of this motion, undersigned counsel states that since the Court continued this matter on May 24, 2006, AUSA Tobin was unable to interview Mr. Alviti, upon information and belief, due to Mr. Alviti's unavailability, until yesterday. Moreover, yesterday, AUSA Tobin forwarded a summary of Mr. Alviti's interview which raises some new issues that undersigned counsel must further investigate before submitting a sentencing memorandum in this case and preparing for defendant's sentencing hearing. Since defendant's sentencing memorandum is due tomorrow, and forty-eight (48) hours is insufficient time to investigate the new issues raised in the summary, undersigned counsel must request that the sentencing be continued to a date in September to adequately prepare for Mr. Gould's sentencing. In addition, it should be noted that undersigned counsel is requesting a date after September 5th, because, upon information and belief, both Mr. Tobin and the Court have scheduled a vacation in the

month of August and undersigned counsel also has scheduled a vacation during the last week in August.

Finally, the government assents to defendant's request.

WHEREFORE, defendant Gould respectfully requests that the Court grants this motion to continue his sentencing hearing from Tuesday, July 25, 2006 until a date after September 5, 2006 that is convenient for the Court.

Respectfully submitted
By Defendant,
RICHARD W. GOULD
By his attorney,

/s/ Scott P. Lopez
Scott P. Lopez. BBO# 549556
Law Office of Scott P. Lopez
24 School Street, 8th Floor
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(617) 742-5700

Dated: July 19, 2006

LOCAL RULE 7.1 CERTIFICATION

I hereby certify that I have previously conferred with counsel for the government, Assistant U.S. Attorney David G. Tobin, in a good faith attempt to resolve or narrow the issue in this motion.

/s/ Scott P. Lopez
Scott P. Lopez

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on July 19, 2006.

/s/ Scott P. Lopez
Scott P. Lopez